

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
FINAL UTILITY ORDERS  
Selected for Publication  
June 2004

June 11, 2004

WASHINGTON EXCHANGE  
CARRIER ASSOCIATION, ET AL,

Complainants,

v.

LOCALDIAL CORPORATION,

Respondent.

DOCKET NO. UT-031472

ORDER NO. 08

FINAL ORDER GRANTING  
MOTIONS FOR SUMMARY  
DETERMINATION

A company that provides intrastate long distance, phone-to-phone telephony with internet protocol in the middle (*i.e.*, service that uses the public switched telephone network to originate and terminate calls) is a telecommunications company within the meaning of RCW 80.04.010 and is an interexchange carrier subject to local exchange carrier tariffs to the same extent as other interexchange carriers that provide intrastate long distance service in Washington. ¶¶ 56-58; RCW 80.04.010.

The classification of a company that provides intrastate long distance, phone-to-phone telephony with internet protocol in the middle does not turn on whether the internet-in-the-middle portion of the call is on a private local area network (*i.e.*, corporate internet) using internet

protocol or on the public internet,  
again using internet protocol. ¶¶ 56-57;  
*RCW 80.04.010*.

June 15, 2004

In the Matter of the Petition of Qwest  
Corporation to Initiate a Mass-Market  
Switching and Dedicated Transport  
Case Pursuant to the Triennial Review  
Order

DOCKET NO. UT-033044

ORDER NO. 15

ORDER GRANTING JOINT CLEC  
MOTION; REQUIRING QWEST TO  
MAINTAIN STATUS QUO;  
SCHEDULING STATUS  
CONFERENCE

The Commission orders Qwest to  
continue to provide all of the products  
and services under existing  
interconnection agreements with  
CLECs, at the prices set forth in the  
agreements, until the Commission  
approves amendments to the  
agreements of the FCC, otherwise  
resolving legal uncertainties presented  
by *USTA II*. This will allow negotiation  
or arbitration of amendments to  
agreements to proceed without the  
threat of sudden or unplanned  
discontinuation of services and  
products offered under the agreements.  
It will also promote the public interest  
in maintaining stability in the  
Washington State telecommunications

market. ¶¶ 22-23; § 251.

Requiring Qwest to maintain the status quo under interconnection agreements is consistent with Section 251 because it does not establish unbundling requirements, but merely requires Qwest to comply with the terms of its existing interconnection agreements until the FCC establishes interim rules, or until the Commission approves appropriate amendments to those agreements. ¶ 23; § 251.